

INCOMING TELEGRAM*Department of State*~~UNCLASSIFIED~~34 -M
Action

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Info

FROM: GENEVA

TO: Secretary of State

NO: 1383, MARCH 22

PRIORITY

LAW OF SEA

USSR SUBMITTED FOLLOWING PROPOSAL (A/CONF.19/C.1/L.1):

"EVERY STATE IS ENTITLED TO FIX BREADTH OF ITS TERRITORIAL SEA UP TO LIMIT OF TWELVE NAUTICAL MILES. IF BREADTH OF ITS TERRITORIAL SEA IS LESS THAN THIS LIMIT, STATE MAY ESTABLISH FISHING ZONE CONTIGUOUS TO ITS TERRITORIAL SEA PROVIDED HOWEVER THAT TOTAL BREADTH OF TERRITORIAL SEA AND FISHING ZONE DOES NOT EXCEED TWELVE NAUTICAL MILES. IN THIS ZONE STATE SHALL HAVE SAME RIGHTS OF FISHING AND OF EXPLOITATION OF LIVING RESOURCES OF SEA AS IT HAS IN ITS TERRITORIAL SEA".

MEXICO SUBMITTED FOLLOWING PROPOSAL (A/CONF.19/C.1/L.2):

"ARTICLE 1:

1. EVERY STATE IS ENTITLED TO FIX BREADTH OF ITS TERRITORIAL SEA UP TO LIMIT OF TWELVE MILES MEASURED FROM BASE LINE WHICH MAY BE APPLICABLE IN CONFORMITY WITH ARTICLES 3 AND 4 OF CONVENTION ON TERRITORIAL SEA AND CONTIGUOUS ZONE ADOPTED BY FIRST UNITED NATIONS CONFERENCE ON LAW OF SEA.

2. WHEN BREADTH OF ITS TERRITORIAL SEA IS LESS THAN TWELVE MILES MEASURED AS ABOVE, STATE HAS FISHING ZONE CONTIGUOUS TO ITS TERRITORIAL SEA IN WHICH IT HAS SAME RIGHTS IN RESPECT OF FISHING AND EXPLOITATION OF LIVING RESOURCES OF SEA AS IT HAS IN ITS TERRITORIAL SEA. THIS FISHING ZONE SHALL BE MEASURED FROM BASELINE FROM WHICH BREADTH OF TERRITORIAL SEA IS MEASURED

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AND WILL EXTEND TO FOLLOWING LIMITS:

(A) WHEN BREADTH OF TERRITORIAL SEA IS FROM 3 TO 6 MILES,
UP TO LIMIT OF 18 MILES;

(B) WHEN BREADTH OF TERRITORIAL SEA IS FROM 7 TO 9 MILES,
UP TO LIMIT OF 15 MILES;

(C) WHEN BREADTH OF TERRITORIAL SEA IS FROM 10 TO 11 MILES,
UP TO LIMIT OF 12 MILES.

3. FOR PURPOSE OF THIS CONVENTION (OR PROTOCOL) TERM "MILE"
MEANS NAUTICAL MILE, EQUIVALENT TO 1,852 METERS.

ARTICLE 2:

1. COASTAL STATE SHALL INFORM SECRETARY-GENERAL OF UNITED NATIONS, WITHIN SIX MONTHS OF ITS DEPOSITING ITS INSTRUMENT OF RATIFICATION OF THIS CONVENTION (OR PROTOCOL), OF BREADTH IT HAS FIXED FOR ITS TERRITORIAL SEA IN PURSUANCE OF PARAGRAPH 1 OF ARTICLE 1 ABOVE, WHICH BREADTH SHALL AUTOMATICALLY DETERMINE THE BREADTH OF FISHING ZONE REFERRED TO IN PARAGRAPH 2 OF SAID ARTICLE 1, IN ACCORDANCE WITH SUB-PARAGRAPHS (A), (B) AND (C) OF SAID PARAGRAPH 2.

2. COASTAL STATE UNDERTAKES NOT TO CHANGE BREADTH FIXED FOR ITS TERRITORIAL SEA BEFORE EXPIRATION OF A PERIOD OF FIVE YEARS FROM DATE ON WHICH THIS CONVENTION (OR PROTOCOL) SHALL ENTER INTO FORCE.

1. EVERY STATE SHALL ENACT NECESSARY LAWS AND REGULATIONS TO PREVENT ITS NATIONALS FROM FISHING WITHIN TERRITORIAL SEAS AND FISHING ZONES OF OTHER STATES UNLESS AUTHORIZED TO DO SO BY COMPETENT AUTHORITIES OF COASTAL STATES CONCERNED, AND SHALL ALSO ADOPT NECESSARY CONTROL MEASURES TO ENSURE OBSERVANCE BY ITS NATIONALS OF SUCH LAWS AND REGULATIONS.

2. STATES SHALL COMMUNICATE TO SECRETARY-GENERAL OF UNITED NATIONS TEXTS OF LAWS AND REGULATIONS REFERRED TO IN PRECEDING PARAGRAPH, AND SHALL ALSO INFORM HIM AS TO CONTROL MEASURES ADOPTED IN ACCORDANCE WITH THAT PARAGRAPH.

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1. AFTER EXPIRATION OF PERIOD OF FIVE YEARS FROM DATE ON WHICH THIS CONVENTION (OR PROTOCOL) SHALL ENTER INTO FORCE, REQUEST FOR REVISION OF THIS CONVENTION (OR PROTOCOL) MAY BE MADE AT ANY TIME BY ANY CONTRACTING PARTY BY MEANS OF NOTIFICATION IN WRITING ADDRESSED TO SECRETARY-GENERAL OF UNITED NATIONS.

2. GENERAL ASSEMBLY OF UNITED NATIONS SHALL DECIDE UPON STEPS, IF ANY, TO BE TAKEN IN RESPECT OF SUCH REQUEST.

ARTICLE 5:

SECRETARY-GENERAL OF UNITED NATIONS SHALL APPRISE ALL STATES MEMBERS OF UNITED NATIONS AND ALL OTHER STATES PARTIES TO THIS CONVENTION (OR PROTOCOL):

(A) OF SIGNATURES TO THIS CONVENTION (OR PROTOCOL) AND OF DEPOSIT OF INSTRUMENTS OF RATIFICATION OR ACCESSION, IN ACCORDANCE WITH ARTICLES.....;

(B) OF BREADTH FIXED BY EACH OF THESE STATES FOR ITS TERRITORIAL SEA;

(C) OF INFORMATION WHICH HE IS TO RECEIVE FROM STATES UNDER ARTICLE 3;

(D) OF REQUESTS FOR REVISION IN ACCORDANCE WITH ARTICLE 4."

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VILLARD

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